

1
2
3
4
5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 WALTER ROCKL, JR.,

9 Plaintiff,

10 v.

11 DEPUTY GEORGE ALVEREZ, et al.,

12 Defendants.

CASE NO. C07-1525RSM

ORDER

13 This matter is before the Court for consideration of the Report and Recommendation filed June 6,
14 2008. Dkt. # 17. Having reviewed defendants' motion to dismiss, the Report and Recommendation of
15 Magistrate Judge James Pl. Donohue, and the balance of the record, the Court does hereby find and
16 ORDER:

17 (1) The Report and Recommendation is approved and adopted, except as to the recommendation
18 that it be dismissed with prejudice;

19 (2) As mail addressed to the plaintiff at his address of record was returned, so that plaintiff did not
20 have an opportunity to see or file objections to the Report and Recommendation, the matter shall be
21 DISMISSED without prejudice, pursuant to Local Rule CR 41(b)(2).

22 (3) The Clerk is directed to send copies of this Order to plaintiff, to counsel for defendants, and
23 to the Hon. James P. Donohue.

24 DATED this 22 day of July 2008.

25
26 

27 RICARDO S. MARTINEZ
28 UNITED STATES DISTRICT JUDGE

ORDER